

Exhibit A

Original - Court (with instructions)
 1st copy - Defendant (with instructions)
 2nd copy - Plaintiff (with instructions)
 3rd copy - Return (with proof of service) 10

Approved, SCAO

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STATE OF MICHIGAN
 52-4 JUDICIAL DISTRICT

AFFIDAVIT AND CLAIM
 Small Claims

CASE NO.

13-CO2245 SC

Court address

520 W. Big Beaver, Troy, MI 48084

Court telephone no.

(248) 528-0400

See instructions on the back of plaintiff and defendant copies.

1. EDWARD HURTWITZ

Plaintiff

2228 ROCHESTER CT

Address

TROY, MI 48083 (248) 266-8024

City, state, zip

Telephone no.

2. SECOND ROUND LP

Defendant

4150 FREDRICH LN

Address

AUSTIN, TX 78744 (512) 488-2600

City, state, zip

Telephone no.

NOTICE OF HEARING

For Court Use Only

The plaintiff and the defendant must be in court on

Tuesday 10-22-13

Day

Date

at 2:00 pm at the court address above.

Time

☒

Magistrate

Location

Cert Mail

Fee paid: \$ 11

Process server's name

☐ 3. A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in Court. The case number, if known, is

The action ☐ remains ☐ is no longer pending.

4. I have knowledge or belief about all the facts stated in this affidavit and I am

☒ the plaintiff or his/her guardian, conservator, or next friend. ☐ a partner. ☐ a full-time employee of the plaintiff.

5. The plaintiff is ☒ an individual. ☐ a partnership. ☐ a corporation. ☐ a sole proprietor. ☐ Other6. The defendant is ☐ an individual. ☐ a partnership. ☒ a corporation. ☐ a sole proprietor. ☐ Other

7. The date(s) the claim arose are 2011 - 2013

Attach separate sheets if necessary

8. Amount of money claimed is \$ 500.00

(NOTE: Plaintiff's costs are determined by the court and awarded as appropriate. They are not part of the amount claimed.)

9. The reasons for the claim are SEE ATTACHED

10. The plaintiff understands and accepts that the claim is limited to \$3,000.00 by law and that the plaintiff gives up the rights to (a) recover more than this limit, (b) an attorney, (c) a jury trial, and (d) appeal the judge's decision.

11. I believe the defendant ☒ is ☐ is not mentally competent. I believe the defendant ☒ is ☐ is not 18 years or older.

12. ☐ I do not know whether the defendant is in the military service. ☒ The defendant is not in the military service.

☐ The defendant is in the military service.

Signature

Subscribed and sworn to before me on 9-9-13

County, Michigan.

My commission expires:

Date

Signature:

Deputy clerk/Notary public

Notary public, State of Michigan, County of

The defendant(s) must be served by

Expiration date

September 5, 2013

To whom it may concern,

For my account, the defendant did not respond to my request for a verification investigation of my debt made early this year per the FCRA and FDCPA. They continued to collect on my debt. The Defendant is responsible for \$500 + statutory damages per the FCRA and FDCPA. In addition they Defendant continued to call me multiple times on my work and cell phone which is a direct violation of the TCPA for robo calling. Defendant is responsible for statutory damages for each call made.

Sincerely,

Edward Hurtwitz



52-4 DISTRICT COURT
TROY, MI
2013 SEP -9 P 2:55
RECEIVED FOR FILING

WHAT TO DO IF YOU ARE BEING SUED IN SMALL CLAIMS COURT

The attached sheet titled "Affidavit and Claim" that you have just received means you (the defendant) are being sued in the Small Claims Division of District Court. The Court is being asked to settle a matter which someone (the plaintiff) says are your obligation and responsibility.

If you feel the claim is justified and there is no need to go to trial, contact the plaintiff immediately and make arrangements to pay the money you owe. He will then contact the court and have the case dismissed. Remember, however, once the plaintiff has started a court action, he is entitled to any court costs that he has had to pay up to the time of settlement.

If you should disagree with the claim and feel it is not your obligation, come to court prepared to dispute the plaintiff's claim. For instance, if it's a bill and you can prove you paid it, bring the proof to court. If the material or service you are being asked to pay wasn't received or was unsatisfactory be prepared to prove it. **YOU MUST BRING ALL YOU WITNESSES AND PROOFS WITH YOU ON THE DAY OF THE TRIAL.** Remember that it's your word against theirs because you weren't prepared to prove your case.

If you decide to go to the trial, the date you are to appear is shown on the affidavit under "Notice of Hearing". Plan to arrive at the courthouse a few minutes early to check in at the counter. This will give you time to locate the courtroom where you trial will be held.

By having the case tried in the Small Claims Division, both parties give up the following rights: 1) the right to have an attorney-you must represent yourself; 2) the right to appeal to a higher court-the District Court judge's decision is final; and 3) the right to a jury trial.

If you feel the case is complicated and you need special legal assistance, you may want to hire and attorney to represent you. **CONTACT ONE IMMEDIATELY.** He will then file the necessary paperwork to have the case changed from Small Claims to the regular civil division of the court.

If you fail to appear at the hearing, or appear late, the court may enter a default judgment against you and you will have to pay. If the plaintiff fails to appear the court will dismiss the case.